

bill to amend the American Folklife Preservation Act to permanently authorize the American Folklife Center of the Library of Congress.

S. 1976

At the request of Mr. DEWINE, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 1976, a bill to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities.

S. 2078

At the request of Mr. GRASSLEY, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 2078, a bill to amend the Internal Revenue Code of 1986 to provide for Farm and Ranch Risk Management Accounts, and for other purposes.

S. 2092

At the request of Mr. SMITH, the names of the Senator from Alabama [Mr. SHELBY], the Senator from Maine [Ms. SNOWE], the Senator from Maine [Ms. COLLINS], the Senator from Iowa [Mr. GRASSLEY], the Senator from Alabama [Mr. SESSIONS], the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from Connecticut [Mr. DODD], and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 2092, a bill to promote full equality at the United Nations for Israel.

S. 2130

At the request of Mr. GRAMS, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Missouri [Mr. ASHCROFT] were added as cosponsors of S. 2130, a bill to amend the Internal Revenue Code of 1986 to provide additional retirement savings opportunities for small employers, including self-employed individuals.

S. 2196

At the request of Mr. GORTON, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 2196, a bill to amend the Public Health Service Act to provide for establishment at the National Heart, Lung, and Blood Institute of a program regarding lifesaving interventions for individuals who experience cardiac arrest, and for other purposes.

S. 2204

At the request of Mr. KYL, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 2204, a bill to provide for the waiver of fees in the case of certain visas, to modify the schedule for implementation of certain border crossing restrictions, and for other purposes.

SENATE JOINT RESOLUTION 50

At the request of Mr. BOND, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Georgia [Mr. COVERDELL], the Senator from Utah [Mr. BENNETT], and the Senator from Wyoming [Mr. ENZI] were added as cosponsors of Senate Joint Resolu-

tion 50, a joint resolution to disapprove the rule submitted by the Health Care Financing Administration, Department of Health and Human Services on June 1, 1998, relating to surety bond requirements for home health agencies under the medicare and medicaid programs.

SENATE RESOLUTION 193

At the request of Mr. REID, the names of the Senator from South Carolina [Mr. THURMOND] and the Senator from Florida [Mr. GRAHAM] were added as cosponsors of Senate Resolution 193, a resolution designating December 13, 1998, as "National Children's Memorial Day."

SENATE RESOLUTION 210

At the request of Mr. WARNER, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of Senate Resolution 210, a resolution designating the week of June 22, 1998 through June 28, 1998 as "National Mosquito Control Awareness Week."

SENATE RESOLUTION 237

At the request of Mr. FEINGOLD, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of Senate Resolution 237, a resolution expressing the sense of the Senate regarding the situation in Indonesia and East Timor.

AMENDMENT NO. 2403

At the request of Mr. INHOFE the names of the Senator from North Dakota [Mr. CONRAD] and the Senator from Georgia [Mr. CLELAND] were added as cosponsors of amendment No. 2403 intended to be proposed to S. 2057, an original bill to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 2793

At the request of Mr. REID the names of the Senator from Wisconsin [Mr. FEINGOLD] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of amendment No. 2793 intended to be proposed to S. 2057, an original bill to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 2826

At the request of Mr. DEWINE the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of amendment No. 2826 proposed to S. 2057, an original bill to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 2934

At the request of Mr. REID the names of the Senator from Nevada [Mr. BRYAN], the Senator from Nebraska [Mr. KERREY], the Senator from Oregon [Mr. WYDEN], the Senator from Washington [Mrs. MURRAY], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Illinois [Mr. DURBIN], and the Senator from Hawaii [Mr. INOUE] were added as cosponsors of amendment No. 2934 intended to be proposed to S. 2057, an original bill to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

SENATE CONCURRENT RESOLUTION 105—EXPRESSING THE SENSE OF CONGRESS REGARDING THE CULPABILITY OF SLOBODAN MILOSEVIC FOR WAR CRIMES IN THE FORMER YUGOSLAVIA

Mr. D'AMATO submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 105

Whereas there is reason to mark the beginning of the conflict in the former Yugoslavia with Slobodan Milosevic's rise to power beginning in 1987, when he whipped up and exploited extreme nationalism among Serbs, and specifically in Kosovo, including support for violence against non-Serbs who were labeled as threats;

Whereas there is reason to believe that as President of Serbia, Slobodan Milosevic was responsible for the conception and direction of a war of aggression, the deaths of hundreds of thousands, the torture and rape of tens of thousands and the forced displacement of nearly 3,000,000 people, and that mass rape and forced impregnation were among the tools used to wage this war;

Whereas "ethnic cleansing" has been carried out in the former Yugoslavia in such a consistent and systematic way that it had to be directed by the senior political leadership in Serbia, and Slobodan Milosevic has held such power within Serbia that he is responsible for the conception and direction of this policy;

Whereas, as President of the Federal Republic of Yugoslavia (Serbia and Montenegro), Slobodan Milosevic is responsible for the conception and direction of assaults by Yugoslavian and Serbian military, security, special police, and other forces on innocent civilians in Kosovo which have so far resulted in an estimated 300 people dead or missing and the forced displacement of tens of thousands, and such assaults continue;

Whereas on May 25, 1993, United Nations Security Council Resolution 827 created the International Criminal Tribunal for the former Yugoslavia located in The Hague, the Netherlands (hereafter in this resolution referred to as the "Tribunal"), and gave it jurisdiction over all crimes arising out of the conflict in the former Yugoslavia;

Whereas this Tribunal has publicly indicted 60 people for war crimes or crimes against humanity arising out of the conflict in the former Yugoslavia and has issued a

number of secret indictments that have only been made public upon the apprehension of the indicted persons;

Whereas it is incumbent upon the United States and all other nations to support the Tribunal, and the United States has done so by providing, since 1992, funding in the amount of \$54,000,000 in assessed payments and more than \$11,000,000 in voluntary and in-kind contributions to the Tribunal and the War Crimes Commission which preceded it, and by supplying information collected by the United States that can aid the Tribunal's investigations, prosecutions, and adjudications;

Whereas any lasting, peaceful solution to the conflict in the former Yugoslavia must be based upon justice for all, including the most senior officials of the government or governments responsible for conceiving, organizing, initiating, directing, and sustaining the Yugoslav conflict and whose forces have committed war crimes, crimes against humanity and genocide; and

Whereas Slobodan Milosevic has been the single person who has been in the highest government offices in an aggressor state since before the inception of the conflict in the former Yugoslavia, who has had the power to decide for peace and instead decided for war, who has had the power to minimize illegal actions by subordinates and allies and hold responsible those who committed such actions, but did not, and who is once again directing a campaign of ethnic cleansing against innocent civilians in Kosovo while treating with contempt international efforts to achieve a fair and peaceful settlement to the question of the future status of Kosovo: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the United States should publicly declare that it considers that there is probable cause to believe that Slobodan Milosevic, President of the Federal Republic of Yugoslavia (Serbia and Montenegro), has committed war crimes, crimes against humanity and genocide;

(2) the United States should make collection of information that can be supplied to the Tribunal for use as evidence to support an indictment and trial of President Slobodan Milosevic for war crimes, crimes against humanity, and genocide a high priority;

(3) any such information concerning President Slobodan Milosevic already collected by the United States should be provided to the Tribunal as soon as possible;

(4) the United States should provide a fair share of any additional financial or personnel resources that may be required by the Tribunal in order to enable the Tribunal to adequately address preparation for, indictment of, prosecution of, and adjudication of allegations of war crimes and crimes against humanity posed against President Slobodan Milosevic and any other person arising from the conflict in the former Yugoslavia, including in Kosovo;

(5) the United States should engage with other members of the North Atlantic Treaty Organization and other interested states in a discussion of information any such state may hold relating to allegations of war crimes and crimes against humanity posed against President Slobodan Milosevic and any other person arising from the conflict in the former Yugoslavia, including in Kosovo, and press such states to promptly provide all such information to the Tribunal;

(6) the United States should engage with other members of the North Atlantic Treaty Organization and other interested states in a discussion of measures to be taken to apprehend indicted war criminals and persons in-

dicted for crimes against humanity with the objective of concluding a plan of action that will result in these indictees' prompt delivery into the custody of the Tribunal;

(7) the United States should urge the Tribunal to promptly review all information relating to President Slobodan Milosevic's possible criminal culpability for conceiving, directing, and sustaining a variety of actions in the former Yugoslavia, including Kosovo, that have had the effect of genocide, of other crimes against humanity, or of war crimes, with a view toward prompt issuance of a public indictment of Milosevic; and

(8) upon issuance of an indictment of President Slobodan Milosevic for war crimes or crimes against humanity by the Tribunal, the United States should adopt a policy of having no dealings with President Milosevic at any level in any context other than as a defendant before the Tribunal, and should make every effort to support his immediate apprehension.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

• Mr. D'AMATO. Mr. President, today I submit a resolution that calls for President Slobodan Milosevic of the rump Federal Republic of Yugoslavia to be indicted publicly by the International Criminal Tribunal for the Former Yugoslavia (the War Crimes Tribunal), under its jurisdiction over war crimes, crimes against humanity and genocide committed on the territory of the former Yugoslavia on or after January 1, 1991. This step is long overdue.

As early as December 1992, then-Secretary of State Lawrence Eagleburger publicly identified Milosevic as one of several individuals who could and should be held personally accountable for war crimes. I am confident that Secretary Eagleburger, in making this serious charge, was fully informed of the underlying facts that would form the basis of a prima facie case against Milosevic and which could be used to support his indictment.

Still, there are some who have questioned whether a case against Milosevic can really be established. This issue was addressed in testimony before the Helsinki Commission in 1995 by Cherrif M. Bassiouni, who headed the U.N.'s Commission of Experts, the body first tasked with examining war crimes in the former Yugoslavia. Professor Bassiouni's work set the stage for the establishment of the International Criminal Tribunal for the Former Yugoslavia.

Professor Bassiouni's Commission had exhumed numerous mass grave sites, interviewed thousands of victims of rape and torture, and examined overwhelming quantities of other evidentiary materials. Based on this far-reaching study of the first two years of the Yugoslav conflict, Professor Bassiouni stated:

At first, many thought that this was a sort of haphazard type of situation. We subsequently found that this was not haphazard, particularly in Bosnia, as you know, but also throughout most of the territory of the former Yugoslavia . . . there is no doubt that, in a large territorial expanse, over a significant period of time, the same patterns

of behavior occurred, and the same administrative organization characterized the acts of ethnic cleansing—who did it, and how it was done . . . Particularly interesting is the way ethnic cleansing was done. It was done with plausible deniability in mind.

When Professor Bassiouni was explicitly questioned about the possibility of indicting Milosevic and Radovan Karadzic—Karadzic was also named by Eagleburger and has since been publicly indicted, not once but twice—Professor Bassiouni said "It is unlikely that a number of similar incidents occurring over long periods of time, which were so well-publicized, could not have been known to the senior political leadership as well." Since then, the evidence against Milosevic has only mounted, particularly as cases have proceeded before the Tribunal in The Hague.

In spite of the overwhelming evidence of war crimes in this conflict and the clear command responsibility of Milosevic for his agents, no public indictment against him has yet been issued. In fact, it has been suggested by some that Milosevic has been granted de facto immunity based on a misguided belief that he is necessary for the implementation of the Dayton Accords. Nothing could be further than the truth.

Under Milosevic's leadership, the situation in Kosovo has deteriorated dramatically, demonstrating the same fact pattern that we have already seen in Bosnia: systematic attacks against civilians, reported that rape is once again being used as a form of warfare, and mass displacement of men, women and children. Milosevic is not part of the solution, he is part of the problem. Significantly, the War Crimes Tribunal has made it clear that, under its statute, it also has responsibility for the war crimes in Kosovo.

Mr. President, we know that the War Crimes Tribunal has issued an unknown number of sealed indictments; in a few instances, the existence of these indictments have become public when the indictee has been arrested. Certainly, there are cases where it may facilitate the arrest of an individual if his indictment remains sealed. In the case of Milosevic, however, I can see no such benefits. Indeed, the failure to indict him publicly may have emboldened him in Kosovo. The time has come to indict Slobodan Milosevic for the atrocities that have been committed—and continue to be committed in Kosovo—under his leadership as head of the Federal Republic of Yugoslavia, and to issue that indictment publicly.

Accordingly, the resolution I am submitting today calls on the United States to collect and supply to the International Criminal Tribunal for the Former Yugoslavia, on a priority basis, evidence to support an indictment and trial of Slobodan Milosevic for war crimes, crimes against humanity, and genocide; calls on the United States to provide a fair share of any

additional financial or personnel resources that may be required by the International Criminal Tribunal for the Former Yugoslavia in The Hague, the Netherlands, in order to enable the Tribunal to adequately address preparation for, indictment of, prosecution of, and adjudication of allegations of war crimes and crimes against humanity posed against Yugoslav President Slobodan Milosevic and any other person arising from the conflict in the Former Yugoslavia, including in Kosovo; calls on the United States to engage with our NATO allies and others in a discussion of measures to be taken to apprehend indicated war criminals and persons indicated for crimes against humanity with the objective of concluding a plan of action that will result in these indictees' prompt delivery into the custody of the International Criminal Tribunal for the Former Yugoslavia in The Hague, the Netherlands; calls on the United States to urge the International Criminal Tribunal for the Former Yugoslavia in The Hague, the Netherlands, to promptly review all information relating to Yugoslav President Slobodan Milosevic's possible criminal culpability for conceiving, directing, and sustaining a variety of actions in the Former Yugoslavia, including Kosovo, that have had the effect of genocide, of other crimes against humanity, or of war crimes, with a view toward prompt issuance of a public indictment of Milosevic; and calls upon the United States to adopt a policy of having no dealings with Milosevic at any level in any context other than as a defendant before the International Criminal Tribunal for the Former Yugoslavia in The Hague, the Netherlands and to make every effort to support his immediate apprehension.

Mr. President, I urge my colleagues to join me in this sense of the Senate resolution, to demonstrate once again that we are not blind to the suffering that Milosevic continues to inflict on innocent people in the Balkans, for no reason other than to secure his own political power. By supporting and seeking prompt enactment of this resolution, we will show that Milosevic cannot act with impunity, that the world will hold him accountable, and that the United States is prepared to take a leadership role in obtaining justice for those killed, maimed, or injured as this man pursues his political ambitions. ●

SENATE RESOLUTION 254—EXPRESSING THE SENSE OF THE SENATE RECOGNIZING 100 YEARS OF GUAM'S LOYALTY AND SERVICE TO THE UNITED STATES

Mr. AKAKA submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 254

Whereas the Chamorro people have inhabited Guam and the Mariana Islands for at least 4,000 years and developed a unique and

autonomous seafaring agrarian culture, governing themselves through their own form of district government;

Whereas in 1565 the Kingdom of Spain claimed the islands of the Chamorro people, which were named the Ladrões by Ferdinand Magellan in 1521 and renamed the Marianas by the Jesuit missionary Diego Luis de San Vitores in 1668, to secure the trans-Pacific route of the Manila-Acapulco Galleon Trade, then, upon San Vitores's death in 1672, the islands were placed under military governance;

Whereas in 1898 the United States defeated the Kingdom of Spain in the Spanish-American War and acquired Guam, Puerto Rico, and the Philippines by virtue of the Treaty of Paris;

Whereas in signing the treaty, the United States Government accepted responsibility for its new possessions and agreed that Congress would determine the civil rights and political status of the native inhabitants, as stated specifically in Article IX;

Whereas, President William McKinley, by Executive Order 108-A on December 23, 1898, placed the island of Guam under the administration of the United States Navy, which administered and governed the island, initially as a coaling station, then as a major supply depot at the end of World War II;

Whereas a series of rulings popularly known as the "Insular Cases", issued by the United States Supreme Court from 1901 to 1922, defined Guam as an "unincorporated territory" in which the United States Constitution was not fully applicable;

Whereas the United States Naval Government of Guam was forced to surrender the island of Guam to the invading forces of the Japanese Imperial Army on December 10, 1941, after which Japanese occupation and control of Guam lasted until the United States Forces recaptured the island in 1944;

Whereas Guam is the only remaining United States territory to have been occupied by Japanese forces during World War II, the occupation lasting for 32 months from 1941 to 1944;

Whereas the people of Guam remained loyal to the United States throughout the Japanese occupation, risked torture and death to help clothe and feed American soldiers hiding from enemy forces, and were subjected to forced labor, ruthless executions, and other brutalities for their support of the United States;

Whereas upon liberation of the people of Guam, the island was returned to United States Navy governance, which, like its pre-war predecessor, limited the civil and political rights of the people, despite numerous appeals and petitions to higher authorities and Congress for the granting of United States citizenship and relief from military rule;

Whereas in 1945, upon establishment of the United Nations, the United States voluntarily listed Guam as a nonself-governing territory, pursuant to Article 73 of the United Nations Charter, and today Guam continues to be included in this list;

Whereas on March 6, 1949, the House of Assembly, the lower house of the popularly elected 9th Guam Congress, which was merely an advisory body to the Naval Governor of Guam, adjourned in protest over the limitation of its legislative rights granted to it by the United States Department of the Navy in 1947 and refused to reconvene until the United States Congress enacted an organic act for Guam;

Whereas the Organic Act of Guam (64 Stat. 384) passed by Congress and signed by President Truman on August 1, 1950, statutorily decreed Guam's status as an "unincorporated territory", established a three-branched civilian government patterned

after the Federal model, and conferred United States citizenship upon the people of Guam;

Whereas since the granting of American citizenship, the people of Guam have greater participation in the American democratic processes and some measure of self-government;

Whereas the people of Guam, who strongly adhere to the belief that a government should derive power and right from the governed, successfully gathered enough support to push for the passage of the Elective Governor Act (Public Law 90-497) on September 11, 1968, and in which Congress granted the people of Guam the right to elect their own governor and lieutenant governor;

Whereas the Congress enacted the Guam-Virgin Islands Delegate bill on April 10, 1972, allowing for Guam to have a nonvoting delegate in the United States House of Representatives, and although the delegate is not accorded a vote on the floor of the House of Representatives, it is still one of the benchmarks in Guam's political evolution and heightens Guam's visibility in the national arena;

Whereas although Congress authorized in Public Law 94-584, the formation of a locally drafted constitution, the subsequent Guam Constitution, it was not ratified by Guam's electorate through a referendum on August 4, 1979;

Whereas concerns regarding Guam's political status led the Twelfth Guam Legislature to create the first political status commission in 1973, known as the Status Commission, the Thirteenth Guam Legislature in 1975 created another commission, known as the Second Political Status Commission, to address Guam's political status issue and explore alternative status options, and in 1980, the existing Guam Commission on Self-Determination (CSD) was created to identify and pursue the status choice of the people of Guam, and in 1996 the Twenty-Fourth Guam Legislature created the Commission on Decolonization to continue pursuing Guam's political status;

Whereas the CSD, after conducting studies on 5 Guam political status options, proceeded to conduct a public education campaign, which was followed by a status referendum on January 12, 1982 in which 49 percent of the people of Guam voted for Commonwealth, 26 percent for Statehood, 10 percent for Status Quo, 5 percent for Incorporated Status, 4 percent for Free Association, 4 percent Independence, and 2 percent for other options;

Whereas on September 4, 1982, a runoff was held between commonwealth and statehood, the top options from the January referendum, with the outcome of the runoff resulting in 27 percent voting for statehood and 73 percent of Guam's electorate casting their votes in favor of a close relationship with the United States through a Commonwealth of Guam structure for local self-government;

Whereas in 1988 the people of Guam first presented the Guam Commonwealth Act to Congress to meet the various aspirations of the people of Guam, which bill has been reintroduced by Guam's Congressional delegates since 1988 until the present;

Whereas Congress has continued to enact other measures to address the various aspirations of the people of Guam, while considering legislative approaches to advance self-government without precluding Guam's further right of self-determination, consistent with the national political climate that emphasizes decentralization of the decision making process from Washington to the local governments and a relationship with the Federal Government that is based on mutual respect and consent of the governed; and